

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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| In the Matter of |) | |
| |) | |
| Revision of the Commission's rules |) | CC Docket No. 94-102 |
| to ensure compatibility with |) | |
| enhanced 911 emergency calling |) | RM-8143 |
| systems |) | |

To: The Commission

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COMMENTS OF UTC

UTC^{1/} hereby submits its comments on the Federal Communications Commission's (FCC) Notice of Proposed Rulemaking (NPRM), released October 19, 1994, in which the FCC proposes to amend its rules relating to enhanced 911 services (E911). Specifically, the FCC proposes to require compatibility of private branch exchanges (PBXs) and other dispersed telephone systems, as well as of wireless radio systems, with E911 systems. UTC supports the FCC's goal of ensuring that consumers have access to public safety services, and urges the FCC to adopt flexible rules which permit the accomplishment of this goal without undue burdens on telecommunications consumers.

UTC is the national representative on communications matters for the nation's electric, gas, water and steam utilities, and natural gas pipelines. Approximately 2,000 such companies are

^{1/} UTC, The Telecommunications Association, was formerly known as the Utilities Telecommunications Council.

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members of UTC, ranging in size from large combination electric-gas-water utilities serving millions of customers, to small rural electric cooperatives and water districts serving only a few thousand customers. UTC is also the Federal Communications Commission's (FCC) certified frequency coordinator for the Power Radio Service. All utilities and pipelines depend upon reliable and secure communications facilities in carrying out their public service obligations. Utilities and pipelines operate extensive communications systems, including PBX and wireless communications systems, and would therefore be affected by the FCC's action in this proceeding.

I. The FCC Should Provide Additional Flexibility in its E911 Compatibility Rules for PBXs

UTC supports the FCC's goal of ensuring the availability of public safety services over PBXs and other dispersed telephone systems. UTC, therefore, agrees that amendments to the FCC's Part 68 Rules may be beneficial. In adopting regulations, UTC supports the Telecommunications Industry Association's (TIA) position that such rules must: (1) clearly define the responsibilities of the parties; (2) reference the appropriate standards; (3) set reasonable deadlines; and (4) provide for education by regulatory agencies.^{2/} UTC would add another desirable characteristic to this list, noting that the

^{2/} NPRM, ¶11.

regulations must also avoid imposing unnecessary burdens on telecommunications consumers.

The FCC proposes to require PBX systems to have the capability to reach emergency services by dialing "911" without having to dial any additional digits.^{3/} UTC believes that this requirement is unnecessary and, in fact, may be confusing to telecommunications users. As an initial matter, it has not been demonstrated that the need to dial additional digits before "911" has impeded access to emergency services on PBX systems. PBX systems are generally used in the workplace and non-employee access is usually quite limited. The vast majority of all calls (including emergency calls) made on these systems would be made by employees who are familiar with the operation of the PBX and the requirements for getting an outside line.

Because many existing PBX systems require users to dial "9" or another digit in order to get an outside line, the proposed FCC rules may cause some confusion. Users who are familiar with a "9+" system may find it hard to remember that they do not need to dial the "9" before "911". Furthermore, because non-emergency numbers may still require the dialing of additional digits, users will continue to think in terms of needing to dial "9" in order to get an outside line.

^{3/} NPRM, ¶22.

One way in which the proposed rules could be crafted to avoid unnecessary burdens is to permit PBX systems to access "911" either with or without additional necessary digits. Those systems that require users to dial additional digits should include a notice on the terminal equipment as to the procedures for accessing emergency services. This flexible approach would not hamper access to emergency services, as PBX users would have ready access to information regarding how to contact emergency services.

Another way in which flexibility could be added to the proposed rules without affecting access to emergency services would be to exempt PBX systems serving physically small locations. According to the FCC, its "paramount concern" in this matter "is to ensure that PBX equipment does not hinder the delivery of emergency services by impeding the transmission of adequate location information over the PSTN."^{4/} Physically small locations do not present the same problems as large locations because sources of emergency calls can be easily identified. It is therefore not necessary that each piece of terminal equipment be capable of providing automatic location information (ALI) as long as the location of the PBX is provided to the public safety answering point.

^{4/} NPRM, ¶21.

UTC supports the FCC's proposal to "grandfather" existing PBX systems, as well as those which are: (1) manufactured or imported less than one year after the rules are ultimately adopted; and (2) installed less than eighteen months after the rules are adopted.^{5/} Current investment by utilities and pipelines in PBX equipment is substantial^{6/}; it would impose a tremendous financial burden to require replacement or retrofitting of existing equipment.

UTC urges the FCC to clarify that its grandfathering of existing systems would permit operators of existing PBX systems to make minor modifications or purchase/install replacement equipment for these systems without being required to bring the systems into compliance with the E911 rules. As noted above, utilities and pipelines have invested substantial sums in current PBX systems and this investment should not be jeopardized by the proposed E911 rules. A utility or pipeline should not be forced to replace or retrofit an entire system simply because a minor

^{5/} NPRM, ¶31. PBX equipment manufactured or imported thirty or more days after the adoption of final rules would have to be labeled with emergency dialing instructions both on the device and on the outside of the packaging in which it is marketed.

^{6/} According to a recent informal survey of UTC members, individual utilities' generally have an investment in PBX equipment of several million dollars (Pacific Gas and Electric - approx. \$2.5 million; Arizona Public Service -- approx. \$3 million; San Antonio City Public Service -- approx. \$2 million; Pennsylvania Power and Light -- approx. \$2 million; Western Area Power Authority -- approx. \$2.5 million; Tacoma Public Utilities -- approx. \$1 million; Western Resources -- approx. \$3 million; Southern California Edison -- approx. \$12 million).

modification is required or a piece of equipment needs to be replaced.

Finally, UTC urges the FCC to closely examine the costs associated with the implementation of the proposed E911 rules, and evaluate the affect that these costs will have on the price of telecommunications services. These costs include the cost of maintenance of the ALI database, the increased cost of compatible equipment (over current equipment) and the costs of any new LEC services that might be required. The FCC must ensure that its E911 services does not adversely impact the availability of affordable telecommunications services or hinder the development of the national information infrastructure.

II. The FCC Should Provide Additional Flexibility in the Application of E911 Rules to Wireless Services

UTC supports the FCC's proposal not to apply the E911 compatibility rules to private mobile radio services (PMRS). Utilities and pipelines operate extensive PMRS systems, the primary function of which are emergency response. These systems are under the control of a central dispatcher who is trained to handle emergency calls. In an emergency, the PMRS user would contact this dispatcher, who would decide what resources are required and how best to get them to the site of the emergency. In the event of an emergency requiring contact with the public safety answering point (PSAP), the dispatcher would be

responsible for contacting the PSAP and directing outside assistance to the emergency site. The application of E911 compatibility rules to PMRS systems is, therefore, unnecessary.

Applying the E911 rules to PMRS systems would impose a significant financial burden on PMRS operators. Because both the radio systems and the telephone interconnect switch would have to be redesigned, E911 compatibility would increase the cost and complexity of PMRS systems. Such burdens are unnecessary in light of the nature of PMRS systems.

UTC supports the adoption of flexible rules which will allow manufacturers and service providers to offer alternative technological solutions to E911 compatibility issues. The FCC should not, for instance, specify one method for identifying user location information. Instead, the FCC should establish its minimum requirements for such information and permit manufacturers and service providers to determine the best way of providing this information. By allowing flexible solutions, the FCC will encourage innovation and permit the marketplace to determine what is the most efficient and cost-effective method for satisfying the E911 requirements for a particular service.

As with the proposed PBX regulations, UTC urges the FCC not to adopt regulations for wireless communications services that threaten the availability of affordable telecommunications

services. UTC is concerned that the incorporation of certain E911 rules, especially those related to user location information, may substantially increase the cost of commercial telecommunications services. This issue must be closely examined to ensure that the benefits of improved E911 compatibility do in fact outweigh the increased costs for wireless telecommunications services.

III. Conclusion

UTC supports the FCC's goal of ensuring access to emergency services for PBX and wireless telecommunication systems. The FCC should adopt regulations that promote E911 access without unnecessarily burdening telecommunications consumers. The FCC should closely examine the costs associated with implementation of E911 rules to ensure that this does not threaten the availability of affordable telecommunications services.

WHEREFORE, THE PREMISES CONSIDERED, UTC requests the Federal Communications Commission to take action in accordance with the views expressed herein.

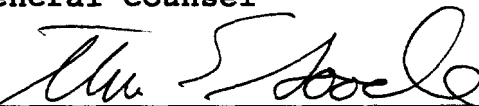
Respectfully submitted,

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